

**UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF TENNESSEE  
at GREENVILLE**

**MICHAEL W. BELCHER** )  
                                )  
                                )  
v.                            )     **NO. 2:10-CV-191**  
                                )  
**HOWARD CARLTON, Warden** )     *Greer/Inman*  
                                )

**MEMORANDUM**

Acting *pro se*, Michael Wayne Belcher, a prisoner in the Northeast Correctional Complex, submitted this “Complaint for Negligence,” which was filed as civil rights case under 42 U.S.C. § 1983. However, the document cannot be characterized as a pleading in a civil case because, in substance, it is a motion to determine the status of Mr. Belcher’s then-pending habeas corpus proceedings. *See Belcher v. Carlton*, Civil No. 2:07-cv-178 (E.D.Tenn. Sept. 10, 2010). Indeed, Mr. Belcher proclaims in his filing that “[t]his action is Federal Habeas Corpus.”

One week after he filed this complaint, Mr. Belcher’s habeas corpus application was dismissed. That dismissal has rendered both the “complaint” and the case itself **MOOT**. Accordingly, this lawsuit will be dismissed by separate order.

**ENTER:**

S/J. RONNIE GREER  
UNITED STATES DISTRICT JUDGE